

**BOARD FOR GEOLOGISTS AND GEOPHYSICISTS**

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**MINUTES OF THE MEETING
OF THE
BOARD AND TECHNICAL ADVISORY COMMITTEE
June 14, 2002**

**Department of Consumer Affairs
400 R Street
Sacramento, CA 95814**

1. CALL MEETING TO ORDER AND ROLL CALL TO ESTABLISH QUORUM

Robert Larson, Chair, called the meeting to order at 9:05 AM.

The following members were present:

Robert Larson, Chair
Michael Hart
Seena Hoose
Martin Miele
Sharon Jasek Reid
Roy Shlemon

The following members were absent:

Brian Hirst
Tony Sawyer

Also in attendance:

Claude Fiddler, Board Member
Paul Sweeney, Executive Officer
George Dunfield, Enforcement Manager
Tara Torok, Staff Services Analyst
Trinda Bedrossian, California Geological Survey
Lanny H. Fisk, Paleo Resource Consultants
Robert H. Sydnor, California Geological Survey

2. PUBLIC COMMENT ON NON-AGENDA ITEMS

Ms. Bedrossian, from the California Geological Survey, announced there will be vacant positions with the California Geological Survey. Ms. Bedrossian would like to comment on Agenda Item No 6 at the appropriate time.

Lanny Fisk, Paleo Resource Consultants, would like to comment on Agenda Item No. 8.

3. APPROVAL OF THE MINUTES OF THE MEETING OF MARCH 8, 2002

Ms. Hoose would like language amended on Agenda Item No. 5, in order to distinguish between the two different Technical Advisory Committees discussed.

Mr. Shlemon moved to approve as corrected the minutes of the Technical Advisory Committee meeting on March 8, 2002.

Ms. Hoose seconded.

The motion passed unanimously.

4. SELECTION OF NEW TAC MEMBER FOR BOARD CONSIDERATION

Mr. Shlemon moved to recommend to the Board the appointment of Thomas Crosby to the Technical Advisory Committee.

Mr. Hart seconded.

The motion passed unanimously.

The Committee decided not to choose an alternative candidate at this time.

5. EXECUTIVE OFFICER'S REPORT

Mr. Sweeney distributed several items to discuss.

The Board issued a news release discussing changes to the existing Directory of Licensees on the website. Now the directory is updated on a daily basis, its design provides easier access to information and the new look conforms to the design of the other Boards' and Bureaus' directories within the department.

The California Highway Patrol released a notice informing state employees that an unknown individual or individuals may have illegally accessed a state data center that housed employee files containing payroll deduction information and social security numbers. The notice discussed precautions one would take in order to protect himself or herself against identity theft.

Mr. Sweeney announced that the Summer 2002 Newsletter was distributed. Governor Gray Davis appointed two new Board members. Mr. Sweeney noted that Claude Fiddler was present for the meeting.

Pass Rates for Spring 2002 Exams have been released. The appeals were held on June 5, 2002.

The Enforcement report contained statistics regarding the number of open and closed cases cite and fines issued, and referrals made to technical experts and the Attorney General's Office.

A news release announced that Richard Van Blaricom surrendered his Registered Geophysicist license and will reimburse the Board for the \$18,500 cost of the investigation and enforcement action. Mr. Van Blaricom was found guilty of signing and stamping reports he did not prepare or supervise himself.

Ms. Hoose commented that she would like to see the Board seal placed within the newsletter.

Ms. Hoose commented that the tone of the press release, regarding changes to the Directory of Licensees, sounded as if there was no pre-existing directory. Ms. Hoose would have liked the press release to state that the Board for Geologists and Geophysicists was one of the initial Boards within the department to provide an on-line license verification to the public.

6. REPORT ON STATE MINING AND GEOLOGY BOARD FOREST GEOLOGY TAC

Ms. Bedrossian announced that the California Geological Survey (CGS) completed its series of three workshops on forest geology in conjunction with the Association of Engineering Geologists. CGS received positive feedback. Ms. Bedrossian thanked Mr. Dunfield for his participation in a panel discussion.

Similar issues remain and continue to be associated with the Pacific Lumber Company's habitat conservation plan and efforts to include landsliding and slope stability, and watershed assessments portion of the water modules. One

of the biggest issues was a continuing disregard for deep-seated landslides.

Some headway has been made in the identification process; Proposing streamlined process for watershed assessment, they have agreed to include deep-seated landslides in inventory mapping. However, there is some reluctance and resistance to performing slope stability and hazard mapping by some individuals in the group. Some individuals would prefer a more statistical approach used in fresh-water watersheds assessments.

Ms. Bedrossian mentioned that there was ongoing discussions regarding the use of-out-of state analytical slope stability models.

Mr. Hart, representative to the State Mining and Geology Board (SMGB) TAC, reported that SMGB TAC completed a review of UC Berkeley report. The review was not favorable. The UC Berkeley report did not contain geologic input evaluating long term, cumulative effects of timber harvesting. The primary concern was that the report used a computer model that had not yet been developed.

7. REPORT ON ASSIGNMENTS TO TAC FROM THE BOARD

The Committee was asked to review SB 2059 (Senator Figueroa). Mr. Sweeney announced that the hearing date for the bill is June 25.

The Committee discussed if it would be wise to disclose qualifications, competency, function and duties of its licensees.

Ms. Hoose questioned if passage of the bill would allow more details of closed cases to be released.

Mr. Shlemon moved to recommend to the Board to watch SB 2059.

Mr. Hart seconded.

The motion passed by majority (Aye – Hart, Miele, Shlemon .
No – Larson. Abstain – Hoose

8. RECOMMENDATION TO THE BOARD ON THE ISSUE OF PALEONTOLOGY AND LICENSURE

Mr. Fisk, a geology professor at American River College, discussed concerns and raised questions as to whether or not mitigation paleontology is considered the practice of geology. Mr. Fisk believed certain aspects of paleontological work, such as field work (describing rocks, describing

geologic history, producing geologic maps, and measuring stratigraphic

sections) can be considered geologic work. Therefore, the mitigation paleontologists should be licensed as geologists if they are performing geologic work.

Mr. Fisk noted that Orange County was the only county within the state that strictly enforced laws of paleontology and maintained standards of the profession. Orange County has a certification program for paleontologists and retains a list of certified professionals. Also, some county codes require that geologic history and fossils be preserved.

The Committee discussed concerns raised by Mr. Fisk and agreed that the paleontology community needed to be educated and informed that areas of their work may be considered geologic work. The paleontologists performing geologic field work should be licensed as a geologist or obtain the services of a registered geologist. The Committee also noted that the Enforcement Manager needed to be aware of these issues.

Mr. Shlemon moved to recommend to the Board that it educate the paleontological community, through letters, literature and the website, about aspects of their work that can be considered geologic work.

Ms. Hoose seconded.

The motion passed unanimously.

Mr. Fisk was pleased with the Committee's decision to address the Board and recommend educating paleontologists. In order to contact the paleontological community, Mr. Fisk suggested the Board use the list of certified professionals retained by Orange County.

9. RECOMMENDATION TO BOARD ON POSSIBLE ADOPTION OF CHANGES TO PROFESSIONAL STANDARDS

The Committee discussed various changes to the Professional Standards and the difference between Standard of Care and Standard of Practice.

The Committee also discussed changes to the Codes of Ethics chart compiled by former Committee member Donna Thompson.

No conclusive changes could be agreed upon. Therefore, Mr. Larson recommended that Mr. Sawyer close the issue at the next meeting.

Mr. Sydnor, California Geological Survey presented California Code of Regulations, Title 24, 2001 California Public Building Code, printed May of 2002. Mr. Sydnor discussed two items; a Checklist for the Review of Engineering Geology and Seismology Reports for California Public Schools, Hospitals, and Essential Services Buildings and explanatory notes, code citations, and suggestions to be used with the California Code of Regulations, Title 24, 2001 California Building Code.

Mr. Sydnor would like Committee members to review the documents and comment upon the text. Committee members may have insight from other California Code of Regulations, Title 24, projects that may be useful to others.

Mr. Sydnor requested that comments be submitted to him within one month.

10. RECOMMENDATION TO BOARD ON POSSIBLE ADOPTION OF PROFESSIONAL PRACTICE GUIDELINES

Mr. Larson would like to skip Agenda Item No. 10 at this time.

11. TECHNICAL ADVISORY COMMITTEE CHAIR'S REPORT AND ANNOUNCEMENTS

Mr. Sweeney commented that Mr. Larson has served on the Committee for six years and will be presented with a certificate at the July 12 Board meeting. Because Mr. Larson will no longer be a Committee member at that time, another member must attend and represent the TAC.

Mr. Sweeney announced that a chair and vice chair will be elected at the next meeting scheduled for August 23.

Mr. Larson announced that Mr. Sawyer will become chair of the Committee effective July 1 and will represent the TAC at the upcoming Board meeting. Mr. Larson has enjoyed the five years spent on the Committee.

Mr. Shlemon thanked Mr. Larson for his service.

12. Adjournment

Mr. Larson adjourned the meeting at 3:15 PM.

TONY SAWYER, Chairman

PAUL SWEENEY, Executive Officer

Date Approved: August 23, 2002